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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

United States Courts  
Southern District of Texas  
ENTERED

FEB 12 2003

SYED MOHMED RABBANI,  
TDCJ-ID # 910,

Plaintiff,

v.

ALL LIFE-FORMS IN ALL GALAXIES,

Defendants.

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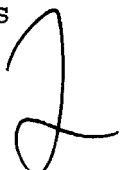
Michael N. Milby, Clerk of Court

CIVIL ACTION H-02-4561

**MEMORANDUM AND ORDER**

Syed Mohmed Rabbani, a death-row inmate currently assigned to the Jester Psychiatric Unit of the Texas Department of Criminal Justice - Institutional Division (TDCJ-ID), has filed a civil rights complaint. This case will be dismissed because it is frivolous and because Rabbani is barred from filing any civil rights complaints without paying the filing fee in advance.

Rabbani has filed prisoner civil rights complaints which have contained allegations which can only be described as delusional and absurd. In one action, he insisted that he was the Chief of the CIA, the FBI director, and a diplomat from Bangladesh. In another, Rabbani has sued NASA requesting injunctive relief to "destroy hellfire." Rabbani v. Unknown Administrator, NASA, No. H-94-2240, (S.D.Tex. August 24, 1994). At least five of Rabbani's civil rights complaints have been dismissed as frivolous. See Rabbani v. Brutal Country, U.S.A., No. H-01-1225 (S.D. Tex. Apr. 19, 2001). Under 28 U.S.C. § 1915(g), prisoners who have had three such dismissals are barred from filing further suits without prepayment of the filing fees unless they are in imminent danger of serious



bodily harm. Adepegba v. Hammons, 103 F.3d 383, 388 (5<sup>th</sup> Cir. 1996). Rabbani has been admonished concerning his frivolous actions, sanctioned for his continued abuse of the court system, and barred from filing additional complaints. No. H-01-1225; Rabbani v. Harmon, No. H-96-700 (S.D. Tex. Oct. 3, 1996).

Despite being ordered to cease filing complaints, Rabbani persists in submitting pleadings with ridiculous claims. Rabbani currently states that he has been tortured by life forms from every galaxy. He also declares that he is a modern-day Jesus Christ. He requests that court order the destruction of all life forms, save himself, and a monthly allowance of \$ 100.00 for his prison commissary purchases.

It is obvious that Rabbani's new and outlandish complaint has no legal basis, and it should be dismissed as frivolous. 28 U.S.C. § 1915(e)(2)(B)(i); Denton v. Hernandez, 112 S.Ct. 1728 (1992) (claims which are "fantastic" or "delusional" are subject to dismissal under § 1915). Further, he has filed this action in contravention of the provisions of section 1915(g) and the courts' orders barring him from filing additional complaints.

In addition, Rabbani's apparent deranged mental state as evidenced by his prior litigation history, along with his status as a death row inmate, make it clear that he will continue filing frivolous civil rights complaints unless the court specifically issues orders to the Clerk to screen and return future complaints.

Conclusion

Accordingly, the Court **ORDERS** as follows:

- (1) This prisoner civil rights action, filed by Syed Mohmed Rabbani, TDCJ-ID # 910, is **DISMISSED**, with prejudice. 28 U.S.C. § 1915(e)(2)(B)(i); 28 U.S.C. § 1915(g).
- (2) Plaintiff is further **BARRED** from filing any civil rights suit in this district unless the suit is accompanied by proof that all of the sanctions assessed against him have been satisfied as well as payment of the entire filing fee of one hundred fifty dollars (\$150.00) for a civil complaint, or by advance written permission to file from a United States District or Magistrate Judge or from a Judge of the United States Court of Appeals. Any pleadings filed contrary to this order may result in further sanctions, including additional monetary penalties.
- (3) THE CLERK IS ORDERED NOT TO ACCEPT FOR FILING ANY CIVIL RIGHTS PLEADINGS FROM SYED MOHMED RABBANI (OR RABBANI SYED MOHMED) UNLESS HE HAS COMPLIED WITH THE TERMS OF THIS ORDER. BARRING COMPLIANCE, ALL MAIL SHALL BE EITHER RETURNED TO REDIC MARKED "FRIVOLOUS FILER, RETURN TO SENDER" OR THROWN AWAY.

The Clerk will provide copies of this order to the parties; to the TDCJ - Office of the General Counsel, P.O. Box 13084, Capitol Station, Austin, TX 78711, Fax 512-936-2159; the Inmate Trust Fund, P.O. Box 629, Huntsville, Texas 77342-0629, Fax 936-437-4793; and to the Clerk of the United States District Court for the Eastern District of Texas, Tyler Division, 211 West Ferguson, Tyler, Texas, 75702, Attention: Betty Parker.

SIGNED at Houston, Texas, on FEBRUARY 11, 2003.

  
SIM LAKE  
UNITED STATES DISTRICT JUDGE